

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
LUIS NAVARRO
AIDA NAVARRO

Case No.: 17-12075
Judge: RG

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 3/10/2018
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: AE

Initial Debtor: LN

Initial Co-Debtor: AN

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 100.00* per Month to the Chapter 13 Trustee, starting on 3/1/2017 for approximately 50 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

Social security and rental incomes

* \$100.00 X 12 months

\$200.00 X 38 months

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 550.00
DOMESTIC SUPPORT OBLIGATION	N/A	None
New Jersey Dept of Labor	Gov't	Paid outside the plan

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
American Financial Resources, servicer, Caliber Home Loans, Inc	2021 Tyler Street, Union, NJ 07083	n/a	n/a	None	\$1,010.50

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☒ Not less than 100 percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Andril & Espinosa, LLC
- 3) General Unsecured Creditors
- 4) _____

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 3/10/2018.

Explain below **why** the plan is being modified:
To provide for 100% plan to general unsecured creditors

Explain below **how** the plan is being modified:
Proposed plan monthly payments have been increased,
and the length of the plan has been extended

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 3/10/2018

/s/ Antonio R Espinosa
Attorney for the Debtor

Date: 3/10/2018

/s/ Luis Navarro
Debtor

Date: 3/10/2018

/s/ Aida Navarro
Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 3/10/2018

/s/ Antonio R Espinosa
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 3/10/2018

/s/ Luis Navarro
Debtor

Date: 3/10/2018

/s/ Aida Navarro
Joint Debtor

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Luis Navarro
Aida Navarro
DebtorsCase No. 17-12075-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 34

Date Rcvd: Mar 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 15, 2018.

db #+Luis Navarro, 2021 Tyler Street, Union, NJ 07083-5317
jdb #+Aida Navarro, 2021 Tyler Street, Union, NJ 07083-5317
cr +U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER, Phelan Hallinan & Schmieg, PC,
400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
516833189 +ASC Of Union County, c/o Pressler and Pressler, LLP., 7 Entin Road,
Parsippany NJ 07054-5020
516625840 +ASC Of Union County, c/o Ctech Coll, 5505 Nesconset Hwy, Mount Sinai, NY 11766-2037
516625835 +Advanced Pain Management Of, c/o Qual Ast Rec, 7 Foster Ave Ste 101,
Gibbsboro, NJ 08026-1191
516625836 +Advanced Pain Management Of NJ, c/o Quality Asset Recovery, 7 Foster Ave Ste 101,
Gibbsboro, NJ 08026-1191
516625838 +Ambulatory Surgery, c/o ACB Receivables Mngmt, 19 Main St, Asbury Park, NJ 07712-7012
516625839 +American Financial Resources, 9 Sylvan Way, Parsippany, NJ 07054-3802
516625842 +Associated Orthopaedics, c/o Remex Inc, 307 Wall St, Princeton, NJ 08540-1515
516625849 Department of Labor & Workforce, P.O. Box 058, Trenton, NJ 08625-0058
516625850 +Elite Pain Anesthesia, c/o Ctech Coll, 5505 Nesconset Hwy, Mount Sinai, NY 11766-2037
516625853 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
516867327 +U.S. Bank Trust, N.A., As Trustee for, LSF9 Master Participation Trust,
Caliber Home Loans, Inc, 13801 Wireless Way, Oklahoma City, OK 73134-2500
516625856 +Verizon, 500 Technology Dr Ste 30, Weldon Spring, MO 63304-2225
516625857 +Wells Fargo Bank, Po Box 14517, Des Moines, IA 50306-3517

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Mar 13 2018 23:19:09 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Mar 13 2018 23:19:06 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
516625843 +E-mail/Text: bknotice@ercbpo.com Mar 13 2018 23:19:12 AT & T, c/o ERC, 8014 Bayberry Rd,
Jacksonville, FL 32256-7412
516625844 +E-mail/Text: bankruptcynotices@dcicollect.com Mar 13 2018 23:19:45 AT & T Wireless,
c/o Diversified Consultant, P O Box 551268, Jacksonville, FL 32255-1268
516864804 +E-mail/Text: g20956@att.com Mar 13 2018 23:19:48 AT&T Mobility II LLC,
c/o AT&T Services, Inc., Karen A Cavagnaro-Lead Paralegal, One AT&T Way, Room 3A104,
Bedminster, NJ 07921-2693
516625837 +E-mail/Text: bankruptcy@savit.com Mar 13 2018 23:20:03 Ambulatory Anesthesia Care,
c/o Sa-vit Collection Agen, 46 W Ferris St, East Brunswick, NJ 08816-2159
516740844 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Mar 13 2018 23:44:57
American InfoSource LP as agent for, Verizon, PO Box 248838,
Oklahoma City, OK 73124-8838
516625846 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 13 2018 23:16:29
Capital One Bank Usa N A, c/o Portfolio Rc, 120 Corporate Blvd Ste 1,
Norfolk, VA 23502-4952
516625847 +E-mail/Text: collect@williamsalexander.com Mar 13 2018 23:18:56
Columbia Anesthesia/Pain Assoc, c/o Williams/alexander & A, Po Box 2148,
Wayne, NJ 07474-2148
516625848 +E-mail/Text: bankruptcydpt@mcmcg.com Mar 13 2018 23:19:06 Credit One Bank N.A.,
c/o Midland Funding, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
516625852 +E-mail/Text: bankruptcy@savit.com Mar 13 2018 23:20:04 Elizabeth Surgical Group Sa,
c/o Savit Coll, 46 W Ferris St, East Brunswick, NJ 08816-2159
516625851 +E-mail/Text: bankruptcy@savit.com Mar 13 2018 23:20:03 Elizabeth Surgical Group Sa,
c/o Sa-vit Collection Agency, 46 W Ferris St, East Brunswick, NJ 08816-2159
516625854 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 13 2018 23:33:52
Hsbc Bank Nevada N A, c/o Portfolio Rc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
516774443 E-mail/PDF: resurgentbknotifications@resurgent.com Mar 13 2018 23:21:50
LVNV Funding LLC, C/O Resurgent Capital Services, P.O. Box 10675,
Greenville, SC 29603-0675
516782483 +E-mail/Text: bankruptcydpt@mcmcg.com Mar 13 2018 23:19:06 MIDLAND FUNDING LLC,
PO BOX 2011, WARREN, MI 48090-2011
516625855 +E-mail/Text: bankruptcydpt@mcmcg.com Mar 13 2018 23:19:06 Midland Funding, LLC,
8875 Aero Drive, Ste. 200, San Diego, CA 92123-2255
516867010 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 13 2018 23:16:29
Portfolio Recovery Associates, LLC, C/O Capital One Bank (usa), N.a., POB 41067,
Norfolk VA 23541
516836254 +E-mail/Text: JCAP_BNC_Notices@jcap.com Mar 13 2018 23:19:23 Premier Bankcard, LLC,
c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999

TOTAL: 18

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 34

Date Rcvd: Mar 13, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516625845* +AT & T Wireless, c/o Diversified Consultant, P O Box 551268, Jacksonville, FL 32255-1268
516625841* +Asc Of Union County, c/o Ctech Coll, 5505 Nesconset Hwy, Mount Sinai, NY 11766-2037
TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 10, 2018 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com
Antonio R. Espinosa on behalf of Joint Debtor Aida Navarro Andespbk@gmail.com
Antonio R. Espinosa on behalf of Debtor Luis Navarro Andespbk@gmail.com
Marie-Ann Greenberg magecf@magtrustee.com
Rebecca Ann Solarz on behalf of Creditor Ditech Financial LLC rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6